
SENATE BILL No. 536

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-9-23-30.

Synopsis: Municipal sewer lines outside municipal boundaries. Requires a municipality that operates a sewage works in an area outside the municipal boundaries to pay for the installation of sewer lines from the available sanitary sewer to the property line of any property located outside the municipal boundary that the municipality requires to connect to the municipal sewer.

Effective: July 1, 2001.

Waterman

January 23, 2001, read first time and referred to Committee on Governmental and Regulatory Affairs.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 536

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-9-23-30 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 30. (a) Subject to
3 subsection (b), a municipality that operates sewage works under this
4 chapter or under any statute repealed by IC 19-2-5-30 (repealed
5 September 1, 1981) may require:

6 (1) connection to its sewer system of any property producing
7 sewage or similar waste; and

8 (2) discontinuance of the use of privies, cesspools, septic tanks,
9 and similar structures.

10 (b) A municipality may exercise the powers granted by subsection
11 (a) only if:

12 (1) there is an available sanitary sewer within three hundred (300)
13 feet of the property line of the affected property; ~~and~~

14 (2) it has given notice by certified mail to the property owner at
15 the address of the property, at least ninety (90) days before the
16 date specified for connection in the notice; **and**

17 **(3) the municipality assumes the costs of the installation of the**



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- 1 **sewer line from the available sanitary sewer to the property**
2 **line of the property owner for all property located outside the**
3 **boundary of the municipality.**
4 (c) A municipality may establish, enforce, and collect reasonable
5 penalties for failure to make a connection under this section.
6 (d) A municipality may apply to the circuit or superior court for the
7 county in which it is located for an order to require a connection under
8 this section. The court shall assess the cost of the action and reasonable
9 attorney's fees of the municipality against the property owner in such
10 an action.

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